

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING—Nov. 17, 1965

Appeal #8423 Reggie H. Brown, appellant.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and carried with Mr. Hatton dissenting, the following Order was entered on November 24, 1965:

ORDERED:

That the appeal for a variance from the provisions of Section 3301 of the Zoning Regulations requiring 900 square feet of land area per unit for conversion of building into three apartments units at 1216 Owen Place, N.E., lot 243, square 4060, be granted.

From the records and the evidence adduced at the hearing, the Board finds the following facts:

(1) Appellant's lot, which is located in the R-4 District, has a frontage of 16.67 feet on Owen Place and a depth of 67 feet. The lot contains an area of 1116 square feet of land.

(2) Appellant is unable to acquire additional land to make his lot conform to the present regulations.

(3) The property is improved with a two story and basement building and appellant stated at the hearing that the building has been used for three units for over fifteen years.

(4) The lot contains an area of 1116 square feet of land whereas zoning regulations in the R-4 District require 2700 square feet of land in order to convert to three units.

(5) The Mt. Olivet Heights Citizens Association protest the granting of this appeal.

OPINION:

We are of the opinion that appellant has proven a hardship within the provisions of the variance clause of the regulations, and that a denial of the request will result in peculiar and exceptional practical difficulties and exceptional and undue hardship upon the owner. It is further noted that these units have been occupied for over fifteen years.

We are further of the opinion that this relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the zoning regulations and map.